

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of WWF, III, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

DARRZELL LYONS,

Respondent,

and

WILLIAM WOODROW FORD, JR.,

Respondent-Appellant.

UNPUBLISHED
December 7, 2001

No. 231076
Wayne Circuit Court
Family Division
LC No. 99-378601

Before: White, P.J., and Talbot and E.R. Post*, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from a circuit court order terminating his parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), (h) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

Respondent does not challenge the circuit court's findings that the statutory grounds for termination were established by clear and convincing evidence. Rather, he argues that termination of his parental rights was contrary to the child's best interests.

The trial court did not err in terminating respondent's parental rights. "Once a ground for termination is established, the court must issue an order terminating parental rights unless there exists clear evidence, on the whole record, that termination is not in the child's best interests." *In re Trejo*, 462 Mich 341, 354; 612 NW2d 407 (2000); MCL 712A.19b(5). The record establishes that respondent has been incarcerated since October 1997, last saw the child in May 1999, and is expected to remain incarcerated until 2008. There is no clear evidence that termination of respondent-appellant's parental rights would be contrary to the child's best interests. On the

* Circuit judge, sitting on the Court of Appeals by assignment.

contrary, termination will facilitate a sense of permanency in the child's life. The trial court did not clearly err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Helene N. White

/s/ Michael J. Talbot

/s/ Edward R. Post